

REMARKS

Claims 1-6, 8-11, and 13-15 were presented for examination and were rejected. With this amendment, claims 1, 3-6, 9-11, and 13 are amended, and claim 8 is canceled. On the basis of the following remarks, consideration of this application and allowance of all pending claims are requested.

Statement of Substance of Interview

Applicant thanks the examiner for the courtesy of an interview, between Applicant's representative Robert Hulse and patent examiner Philip Gabler. During the interview, Applicants' representative requested that the examiner reconsider the finality of the rejection of the previous Office Action. The examiner agreed to withdraw the finality of that Action.

Claim Rejections — § 103

Claims 1-6, 8-11, 14, and 15 were rejected as made obvious by U.S. Patent No. 5,164,886 to Chang in view of U.S. Patent No. 6,404,624 to Jeong. Applicant respectfully traverses this rejection as to claims 14 and 15 and asserts that amended claims 1-6 and 8-11 are patentable over the proposed combination of Change and Jeong.

The claims recite a system in which a removable structure for housing computer components can be easily installed by placing the structure over protrusions formed in the chassis frame. In this way, the protrusions can secure the removable structure in a lateral direction. And because the protrusions are formed on a load bearing surface of the chassis frame, the removable structure is held down against the frame by such a load. Amended claim 1,

for example, recites a “removable structure configured to fit over at least some of the protrusions of the chassis frame and be secured thereby.”

To reject the claims, the examiner proposed modifying Chang’s computer chassis with portions of Jeong. Specifically, the examiner cited Chang’s cross bar (5) and fixed holder (24) for the claimed chassis frame having a load-bearing surface, and Chang’s holder (6) for the claimed removable structure that fits over protrusions in the chassis frame. Because Chang’s cross bar (5) and fixed holder (24) include hooks (51, 241) that may not support a load, the examiner then proposed replacing Chang’s hooks (51, 241) with Jeong’s “domes which would engage the cover in place of hooks that do not.” The suggestion offered by the examiner for this modification was to provide additional strength and support to the computer chassis apparatus.

As an initial matter, it is not clear why one of skill in the art would be motivated to replace Chang’s hooks with Jeong’s “domes” for the purpose of engaging a computer cover, as proposed by the examiner. If a designer of Chang’s computer chassis intended that the cross bar (5) engage and thus provide support for a computer cover, the designer could just increase the size of the hooks (51, 241) or raise the elevation of the cross bar (5) and fixed holder (24). But these modifications have nothing to do with the shape of the hooks (51, 241). Indeed, there is no reason to suggest that changing of shape of Chang’s hooks (51, 241) into domes would achieve the purpose of the modification. Nor is there any suggestion that modifying Chang so that its holder (6) would fit over — rather than under — the hooks (51, 241) would achieve this purpose. Accordingly, assuming the examiner is correct that a skilled person would modify Chang with Jeong to provide additional strength and support to the chassis, the result would still lack the claimed feature of a “removable structure configured to fit *over* at least some of the protrusions of the chassis frame and be secured laterally thereby.”

While the combination of Chang and Jeong fails to achieve the claimed invention, as explained above, Applicant further notes that this proposed modification would be impermissible. Where a proposed modification of a reference would change a principle of operation of that reference, an obviousness rejection cannot be maintained thereon. MPEP § 2143.03; *In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984). One of Chang's primary "objects of the invention" is "to provide a computer mainframe housing for a computer system, which has a cross member at the inside for fastening a diskdrive holder through hook joints." (Chang, col. 1, lines 47-50.) Chang attempts to achieve this object, as shown in FIG. 5, by sliding the holder (6) underneath the hooks (51, 241) and securing it in place using a plate spring (236). Chang explains:

Once the hooks 51, 241 are respectively hooked in the holes 601, the holder 6 is suspended between the holder 24 and the cross bar 5 with the plate spring 602 firmly retained between the cross bar 5 and the top flange 236 of the front side wall 23 (see FIG. 5). Therefore, the holder 6 is firmly retained to the under body 2.

(Chang, col. 3, lines 26-32.) Replacing Chang's hooks with the "domes" found on Jeong's strut would destroy this principle of operation of Chang's securing mechanism, as detailed in Chang. Accordingly, the proposed combination would be impermissible, and the rejection must be withdrawn.

Claims 2-6 and 8-11, which depend from claim 1, are patentable over the combination of Chang and Jeong for the reasons provided above. Because the same combination was applied to claims 14 and 15, those claims are similarly patentable over that combination.

Claim 3 further recites that the "protrusions are located on a set of external rails that define the chassis frame." Similarly, claim 15 recites that "the load-bearing surface comprises a rail bordering the top of the chassis frame." At best, the combination of Chang and Jeong includes protrusions along an internal rail or some other internal structure (e.g., fixed holder 24).

The claimed invention supports the removable structure using the external chassis frame rails, whereas the cited references require additional rails or other structures within the chassis. Claims 3 and 15 are thus patentable over the cited references for this additional reason, and this rejection should be withdrawn.

Claim 10 further recites that “the removable structure includes corresponding protrusions configured to fit over the protrusions of the chassis frame.” Chang’s holder simply includes holes, rather than protrusions, that fit over the hooks. The Office Action states that Chang’s holder would include the claimed protrusions when modified with Jeong; however, there is no support or any apparent reasoning for why this would be the case. Indeed, nothing in Chang or Jeong suggests that the holder would be modified to include this feature. Claim 10 is thus patentable for this additional reason, and this rejection should be withdrawn.

Claim Rejections — § 102

Claim 13 was rejected as anticipated Jeong. Claim 13 has been amended to recite that the removable structure that fits over the means for supporting the chassis cover is “configured to house at least one computer component.” The structure identified in Jeong was strut 40, which does not house computer components. Rather than housing any components, Jeong’s strut is simply a retaining member that fits over a component to secure it downward against the computer frame.

Applicant therefore respectfully asserts that claim 13, as amended, is novel over Jeong. Moreover, claim 13 is patentable over the cited combination of Chang and Jeong for the reasons stated above.

Summary

Based on the foregoing, the application is in condition for allowance of all claims, and a Notice of Allowance is respectfully requested. If the examiner believes for any reason direct contact would help advance the prosecution of this case to allowance, the examiner is encouraged to telephone the undersigned at the number given below.

Respectfully submitted,
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